

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CONTINENTAL CASUALTY COMPANY, §

§

Plaintiff,

§

vs.

§

CIVIL ACTION NO.:

§

2:07-CV-221-WHA

§

§

ALABAMA EMERGENCY ROOM

§

ADMINISTRATIVE SERVICES, P.C.,

§

§

Defendant.

§

JOINT MOTION TO EXTEND BRIEFING AND SUBMISSION DEADLINE

COME NOW Plaintiff Continental Casualty Company (“Continental Casualty”) and Defendant Alabama Emergency Room Administrative Services, P.C. (“AERAS”), and respectfully move this Honorable Court to extend by twenty-one (21) days the briefing and submission deadlines in this matter. As grounds for this Motion, the parties state as follows:

1. This is an action for declaratory judgment regarding the recovery of premium assessed on a workers’ compensation policy issued by Plaintiff Continental Casualty to Defendant Alabama Emergency Room Administrative Services, P.C. for the policy period of May 3, 2005 to May 3, 2006.

2. Due to the unique nature of this action, on October 29, 2007, the Court ordered this matter to be submitted on an Agreed Statement of Facts and Exhibits and briefs. Pursuant to this Court’s March 13, 2008 Order, the present deadlines are:

Agreed Statement of Facts and Exhibits due by June 20, 2008;
Plaintiff’s principal brief due on June 20, 2008;
Defendant’s responsive brief due on July 11, 2008;
Plaintiff’s reply brief due on July 18, 2008; and
Case submitted on briefs on July 18, 2008.

3. The parties have substantially completed discovery in this case and all discovery will be completed by June 12, 2008.

4. The documents produced through written discovery among the parties and discovery to third parties are voluminous in this case. Accordingly, the parties respectfully request that the Court extend by twenty-one (21) days the deadline for the parties to submit their Agreed Statement of Facts and Exhibits and the deadline for Plaintiff to file its principal brief. The requested extension will permit the parties sufficient time in which to identify and confer on the Agreed Statement of Facts and Exhibits to be submitted to the Court.

5. Should this Court grant the requested extension, the briefing and submission deadlines in this case would be as follows:

Agreed Statement of Facts and Exhibits due on July 11, 2008;
Plaintiff's principal brief due on July 11, 2008;
Defendant's responsive brief due on August 1, 2008;
Plaintiff's reply brief due on August 8, 2008; and
Case submitted on briefs on August 8, 2008.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Continental Casualty Company and Defendant Alabama Emergency Room Administrative Services, P.C. respectfully request that this Honorable Court enter an Order extending by twenty-one (21) days the briefing and submission deadlines in this matter.

Respectfully submitted,

/s/ Candace L. Hudson

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